IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(Crl.).No. 141 of 2007(S)

PETITIONER: PETITIONER

VIJIMOL,W/O.VIJU.AISWARYA BHAVAN,
ANAKOTTOOR,NEDUVATHOOR VILLAGE,
KOTTARAKKARA,KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: RESPONDENTS
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1. THE SUPERINTENDENT OF POLICE,
   POLICE HEAD QUARTERS,KOLLAM.

2. THE SUB INSPECTOR OF POLICE,
   KOTTARAKKARA,POLICE STATION,KOTTARAKKARA,
   KOLLAM.

3. SRI.VIJAYANANDAN,CHARUMKUZHI VEEDU,
   CHAKKUVARAKKAL VILLAGE, KOTTARAKKARA,
   KOLLAM DISTRICT.

4. SMT.PRASANNA,W/O.VIJAYANANDAN,
   CHARUMKUZHI VEEDU,CHAKKUVARAKKAL VILLAGE,
   KOTTARAKKARA, KOLLAM DISTRICT.

5. VINU.V., CHARUMKUZHI VEEDU,
   CHAKKUVARAKKAL VILLAGE, KOTTARAKKARA, KOLLAM
   DISTRICT, NOW RESIDING AT RANK BOW,A.SON 16TH
   LIGHT CORVALARG,C/O.56 APO,HYDERABAD.

R1 & R2 BY ADV. GOVT.PLEADER SRI C.M.KAMMAPPU
R3 & R4 BY ADV. SRI.K.V.ANIL KUMAR

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 24/09/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE RATION CARD ISSUED IN FAVOUR OF THE PETITIONER AND HER HUSBAND.

EXT.P2 TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER'S FATHER BEFORE THE 2ND RESPONDENT ON 14/5/2007.

EXT.P3 TRUE COPY OF THE RECEIPTS EVIDENCING THE RECEIPT OF EXT.P2 ISSUED BY THE 2ND RESPONDENT DTD. 17/5/2007.

EXT.P4 TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT ON 18/5/2007.

EXT.P5 TRUE COPY OF THE FIR IN CRIME NO.422/07 OF KOTTARAKKARA POLICE STATION REGISTERED BY THE 2ND RESPONDENT.

P.R.RAMAN & V.K.MOHANAN, JJ.

W.P.(Crl)NO.141 OF 2007

Dated this the 24th day of September, 2007

JUDGMENT

Raman, J.

Petitioner's husband, Viju was missing from 12/5/2007. Suspecting that Viju is under the illegal custody of respondents 3 to 5, this writ petition was filed. Viju, the alleged detenu, appeared before us today. Petitioner is also present. From the interaction with the petitioner as well as the allged detenu, we gather that there is some domestic quarrel between them and Viju had been in Madras on his own accord. He stated that he is prepared to take her to his house. Whereas the petitioner would submit that since there are some debts to be cleared, she will be joining him only thereafter. In view of the categorical statement made by the alleged detenue that he is not under the illegal custody of anybody as alleged in the writ petition, this writ petition is closed.

P.R.RAMAN,
Judge.

V.K.MOHANAN,
Judge.

kcv.